



DEPARTMENT OF THE NAVY  
COMMANDER NAVY REGION SOUTHWEST  
937 NO. HARBOR DR.  
SAN DIEGO, CALIFORNIA 92132-0058

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IN REPLY REFER TO:

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Ser N45RW.rc/0311

October 29, 2002

*PR*

Mr. John Robertus  
California Regional Water Quality Control Board  
9174 Sky Park Court  
San Diego, CA 92123  
Dear Mr. Robertus:

Thank you for the opportunity to review Tentative Order No. R9-2002-0169, Tentative MRP No. R9-2002-0169, and Fact Sheet Tentative Order No. R9-2002-0169 dated September 30, 2002. Submitted as enclosure (1) are our comments regarding these issues.

If there are any questions regarding these comments, please feel free to contact me at (619) 524-6417 or Mr. Brian Gordon at (619) 524-6390.

Sincerely,

*Robert A. Chichester*

ROBERT A. CHICHESTER  
Director, Water Program  
By direction of the Commander

Enclosure: 1. CNRSW Comments on Tentative Order R9-2002-0169, Tentative MRP No. R9-2002-0169, and Fact Sheet Tentative Order No. R9-2002-0169 dated September 30, 2002.

*SUPPORTING  
DOCUMENT 7.A.*

2002 OCT 30 P 4 04

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CALIFORNIA REGIONAL  
WATER QUALITY  
CONTROL BOARD

**CNRSW Comments**  
**Tentative Order No. R9-2002-0169**  
NBSD NPDES Permit No. CA0109169

**General Comments**

Industrial Storm Water Monitoring: The Tentative Order requires the Navy to implement a new storm water monitoring program within 10 days after the Order is adopted. The current 2002/2003 storm water monitoring program for Naval Base San Diego was implemented on May 9, 2002 to comply with the State General Industrial Storm Water Permit. Since NBSD is almost one third of the way into the current industrial storm water monitoring program, we request that the new storm water monitoring requirements in this Tentative Order do not start until the end of the 2002/2003 industrial storm water sampling season. This will allow us time to amend our existing storm water monitoring contracts and to seek additional funding to meet the new permit requirements without impacting other Navy environmental compliance programs.

**Tentative Order Comments**

1. Page 3, item 11: The definition for a "high risk area" in the Tentative Order for Naval Base San Diego is different from the definitions included in Tentative Orders for Continental Maritime San Diego (CMSD) and Southwest Marine (SWM). The definitions are presented below.

Naval Base San Diego (NBSD); definition: High-risk areas are areas where wastes or pollutants (including abrasive blast grit material, primer, paint, paint chips, solvents, oils, fuels, sludges, detergents, cleaners, hazardous substances, toxic pollutants, non-conventional pollutants, materials of petroleum origin, or other substances of water quality significance) are subject to exposure to precipitation and runoff. This Order requires the termination of the first 1/4 inch of storm water runoff from high-risk areas within 2 years after the adoption of this Order.

Continental Maritime San Diego (CMSD) and South West Marine (SWM); definition: High risk areas are areas where wastes or pollutants *from ship repair, modification, and maintenance activities* (including abrasive blast grit material, primer, paint, paint chips, solvents, oils, fuels, sludges, detergents, cleansers, hazardous substances, toxic pollutants, non-conventional pollutants, materials of petroleum origin, or other substances of water quality significance) are subject to exposure to precipitation, run-on, and/or runoff.

Why is the definition for "high risk areas" limited to ship repair, modification, and maintenance activities in the CMSD and SWM Orders and the definition is not limited to any specific activities in the NBSD Order? Our understanding was that the implementation of the high-risk area diversion requirement was intended to target those outdoor activities that are typically a higher threat to water quality. The proposed definition in the Tentative Order could conceivably be applied to any parking lot, roadway, loading dock, or any number of activities that typically take place in a municipality. We request that the definition of "high risk areas" in the NBSD

Tentative Order be revised to match the definitions included in the CMSD and SWM Tentative Orders.

2. Page 5, Item 28: Please further explain what public meeting is being discussed here?

3. Page 7, Discharge Specification, item 2: This section lists 63 ug/L as a copper value that triggers additional requirements. Since the EPA Storm Water Multi-Sector General Permit for Industrial Activities is the source document for the copper value and it lists 63.6 ug/L as a benchmark value, we request the 63 ug/L value in the Tentative Order be changed to 63.6 ug/L. This will also be consistent with the Tentative Monitoring and Reporting Program that lists the copper value at 63.6 ug/L.

4. Page 7, Discharge Specification, item 2: This item states that a copper value of 63 ug/L and zinc value of 117 ug/L apply to industrial storm water monitoring for any industrial activity. Monitoring & Reporting section C. 2. 1<sup>st</sup> paragraph, states that these values only apply to NAVSTA.

Please make these Copper limits consistent and clarify if this requirement applies to all industrial storm water monitoring or only industrial storm water monitoring at NAVSTA.

5. Page 7, Discharge Specification, item 4.b: States that NAVSTA shall conduct a study of toxicity in storm water *from all areas of NAVSTA at which industrial activities are undertaken* and shall recommend a scientifically valid survival rate for acute exposure...”

Page M-7 of the monitoring report states that the study will be done at a minimum of 3 locations for acute toxicity or analyze according to a toxicity study plan developed in consultation with the Regional Board.

The Navy requests that the discharge specification on Page 7 be revised to match that on page M-7. The alternative monitoring plan and locations will be developed in consultation with SD RWQCB Staff and not be uniformly applied to all industrial discharge locations.

6. Page 7, B. 3.: States that NAVSTA has 2 years after the adoption of the permit to divert the first 1/4" in *high-risk areas*. Page M-6, Section 6, Item 1., states we have 27 months after the adoption of the permit to divert *high-risk areas*. Please make these statements consistent.

7. Attachment B, page 6: There is no longer a salt water system discharge at Mole Pier. The system has been shut down. The salt water system on pier 13 still exists.

8. Attachment D, Page 3, Section 4.a: States that the maps need to show the boundaries of *high-risk areas*. Section 4.f. states that only NAVSTA needs to identify *high-risk areas*.

Please revise Section 4.a. so that it is clear that the boundaries of *high-risk areas* only need to be identified on the NAVSTA maps.

9. Permit Attachment D, Page 4, iv: Requires the Navy to identify and describe materials that have spilled or leaked in significant quantities in storm water discharges or non-storm water discharges since June 17, 1999.

The Navy requests that significant quantity spills and leaks be identified and described starting from the date this Order is effective, 10 days after it is adopted.

### **Monitoring and Reporting Program Comments**

1. Page M-2, A.3: States that monitoring results must be reported on forms approved by the Regional Board.

The Navy requests approval of the storm water monitoring forms currently used in the Annual Storm Water Reports, and used in the RWD application.

2. Page M-6, C. 2.: Requires that each industrial discharge at NAVSTA be analyzed for copper and zinc. Currently, not all industrial discharges are monitored at NAVSTA. This is consistent with the General Industrial Storm Water Permit and with sampling location requirements listed on Page M-10, Section 8, Item d. of this tentative order.

The Navy requests that copper and zinc monitoring requirements be applied consistent with the General Industrial Storm Water Permit and Page M-10, Section 8, Item d.

3. Page M-7, Interim toxicity monitoring study: Refer to comment #5 above from the Tentative Order Comments.

4. Page M-9, Section 6, Item f.: This section requires the Navy to perform visual inspections of all storm water drainage areas prior to an anticipated storm event. SD RWQCB staff have stated that they define an "anticipated storm event" as a forecasted storm event with greater than a 40% chance of rain. If this is correct, please define anticipated storm event in the tentative order.

In addition, the Navy currently has a dedicated environmental compliance team for NBSD that performs BMP inspections on regular basis. These inspections are used to evaluate BMP implementation and to identify sources of storm water pollution. This new requirement for an inspection prior to each anticipated storm event requires additional resources with no real benefit, since inspections are being performed on a regular basis anyway.

This inspection requirement is very difficult to implement due to the high number and large size of the drainage areas at NBSD. This would be the equivalent of requiring a small municipality to inspect all of their drainage areas every time there is forecast for rain. Also, upon reviewing the CMSD & SWM tentative orders this is not a requirement for them. Why is the Navy being held to a more stringent requirement than commercial shipyards? The Navy requests this requirement be deleted from the tentative order.

5. Page M-9: states that samples are required only when the storm water discharge is preceded by at least 3 days without a storm water discharge. Page M-7 of the tentative CMSD Permit states that storm water shall be collected from discharges, as defined in Attachment E of Order No. R9-2002-0282 of storm water that are preceded by at least 7 days without storm water discharge. Why is the Navy being held to a more stringent requirement than commercial shipyards?

The Navy requests that the monitoring requirements be revised so that storm water discharges will be collected after at least 7 days without storm water discharge.

7. Page M-4, and M-5: The Navy requests that representative monitoring of the Utility Vault & Manhole dewatering; Steam Condensate; and Pier Boom, Mooring, and Fender Steam Cleaning discharges be allowed.

#### **Fact Sheet Comments**

1. Table of Contents (TOC): The TOC states the Naval Station Salt Water system is on Page 15, it is actually on Page 16. Pier Boom, Mooring, and Fender System Cleaning is listed on the TOC as being on page 16, it is actually on Page 17.

2. Page 7, Section I., d.: NMCSO has submitted a Notice of Termination for its General Industrial Storm Water Permit. NMCSO no longer conducts industrial operations requiring General Industrial Storm Water Permit coverage and has submitted a Notice of Termination. Because these industrial operations no longer occur NMCSO storm water discharges should not be regulated by this tentative order. NMCSO will comply with Phase II storm water permit requirements by March 10, 2003.

3. Page 7, Section I., d.: NMCSO has no point source discharges beyond landscape runoff, potable water, fire hydrant flushing, eye wash flushing, and air conditioning condensate. Like other Hospitals in the San Diego area, these discharges will comply with Phase II Storm Water Permit regulations and should not be covered by this Tentative Order.

4. Page 7, Section I., d. Point Source Discharges: Please correct the type-O CNSR to CNRSW.

5. Page 11, Section C, second paragraph: "Sythe Energy" is spelled "Sithe Energy".

6. Page 16, Section II, d. Salt Water System: The salt water system at NAVSTA on Mole Pier has been shut down and is no longer a discharge. There is still a salt water system discharge on NAVSTA at Pier 13.

7. Page 21, Section III, e., 3rd paragraph: Please correct the type-o CNSWR to CNRSW.

8. Page 22: Outfall 36 has Sandblasting and Painting listed in the area. The Sand Blasting and Painting operation has moved to the drainage areas for outfalls 33 and 34. This is still on Mole Pier, just further east on the pier than the original location.

9. Page 25, Section IV: Discusses the NPDES Permit Rating Worksheet. The Navy requests a copy of the NPDES Permit Rating Worksheet to understand how the total point score was derived. Navy also requests a more detailed narrative description of the rationale used to classify NBSD as a "discretionary major" be included in the fact sheet.